

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 2-14 and 17, 18, and 21-26 are pending. Claims 19 and 20 have been cancelled, claims 21-26 have been added, and Claims 2-14, 17, and 18 have been amended by the current amendment. No new matter has been added.

In the outstanding Office Action, Claim 1 was objected to because of an informality; Claims 1-7, 9, 12-14, and 21 were rejected under 35 USC 102(b) as being anticipated by Singer et al., WO 9945535 (“Singer WO”); and Claims 8, 10, 11, and 17-20 were rejected under 35 USC 103(a) as being unpatentable over Singer et al in view of McConnell et al., US 6,011,373.

Claim 1 has been cancelled. Consequently, the objection of claim 1 is moot.

Newly added independent claim 22 is directed to a computer peripheral. The peripheral includes an electromechanical mechanism configured to advance paper; and circuitry configured to shape an input to the electromechanical mechanism based on acoustic frequencies of the paper. See page 4, lines 25-28 of the Specification.

The Singer WO publication considers reducing vibrations of a mechanism. In contrast, the instant invention defined by the claims is addressing acoustic energy from a consumable (i.e., paper) that is fed into a mechanism. The applied art did not recognize in the context of computer peripherals such as printers and scanners that paper and not a mechanism of the computer peripheral could be the source of acoustic vibration, and that acoustic vibration was shapeable by altering the trajectory in the mechanism. The driving force of the mechanism is indirectly applied to the paper by changing the trajectory input to the mechanism.

The McConnell patent demonstrates that it would not have been obvious to shape an input to the electromechanical mechanism based on acoustic frequencies of the paper because McConnell was not even able to identify the source of acoustic noise in a mechanism. Rather, McConnell generates numerous seeks and chooses one that works best. It is a method of trial and error. See Fig. 4 and the corresponding disclosure of McConnell. It certainly would not have been obvious to extend this trial and error approach to a consumable that is fed through a mechanism. Neither the Singer WO publication nor McConnell addresses the acoustics of paper, continuous sheets, or web materials such as paper.

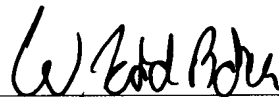
In light of the foregoing, the Singer WO publication is not believed to anticipate or render obvious the subject matter defined by claim 22 when considered alone or in combination with McConnell.

The dependent claims are believed to be allowable for at least the same reasons that claim 22 is believed to be allowable.

In view of the foregoing, an early and favorable action is respectfully requested.

Respectfully submitted,

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